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Alex Umansky

December 15, 2011

VIA ECF

Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
United States Courthouse
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: **Anna Stanczyk v. City of New York, et al.**
11 CV 249 (FB) (RER)

Your Honor:

I represent plaintiff Anna Stanczyk in the above referenced civil rights action brought pursuant to 42 U.S.C. § 1983. Pursuant to Local Civil Rule 37.3 and Fed. R. Civ. P. 37(b), I write now to respectfully request that the Court issue an Order compelling defendant City of New York to produce P.O. Shaun Grossweiler for a deposition in the above-referenced matter.

Pursuant to the Court's scheduling Order, discovery in this matter must be completed by December 30, 2011. The parties have since conducted the depositions of plaintiff Anna Stanczyk on December 12, 2011 and defendant P.O. DeMartino on December 14, 2011. In addition, both parties have scheduled a deposition of defendant P.O. Grossweiler to take place on December 16, 2011. Today, however, *one day* prior to the scheduled deposition of P.O. Grossweiler, defendants informed plaintiff that they will not produce P.O. Grossweiler at the above scheduled date. Moreover, defendants refuse to produce P.O. Grossweiler at any time after the above scheduled deposition date and before the end date of discovery.

Given defendants' history of dilatory conduct in this matter, as set forth above, plaintiff respectfully requests that the Court issue an Order compelling defendants to produce P.O.

Grosweiller for a deposition on or before December 30, 2011.

I thank Your Honor for consideration of this request.

Respectfully submitted,

/s/

Jon L. Norinsberg

cc: Baree N. Fett, Esq.
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